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Pall Mall Gazette Extra No. 67

THE FULL TEXT  
OF THE  
**HOME RULE BILL**  
**1893**

*As introduced into the House of Commons  
by Mr. GLADSTONE, February 1893*

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With Index, Summary, and Comparison of the  
Bills of 1886 and 1893

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THE

# HOME RULE BILL 1893.

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FEBRUARY 1893.

[Price ONE PENNY.]

## THE HOME RULE BILLS OF 1886 & 1893.

### SUMMARY AND COMPARISON.

1886.

#### LEGISLATIVE AUTHORITY.

1893.

The preamble contains no recital of the objects of the Bill. Clause 1 provides that "On and after the appointed day there shall be established in Ireland a Legislature consisting of her Majesty the Queen and an Irish Legislative Body."

Clause 2 is worded the same down to "good government of Ireland," and concludes "and by any such law to alter and repeal any law in Ireland."

The preamble states that "Whereas it is expedient that without impairing or restricting the supreme authority of Parliament, an Irish Legislature should be created;" and Clause 1 goes on to state that "on and after the appointed day there shall be in Ireland a Legislature consisting of her Majesty the Queen and of two Houses, the Legislative Council and the Legislative Assembly."

Clause 2 defines the powers of the Legislature:—With the exceptions and subject to the restrictions in this Act mentioned, there shall be granted to the Irish Legislature power to make laws for the peace, order, and good government of Ireland in respect of matters exclusively relating to Ireland or some part thereof.

#### WHAT AN IRISH PARLIAMENT MAY NOT DO.

The prohibitions by Clause 3 were as to the making of laws relating to (1) the States or dignity of the Crown, or the succession to the Crown or a Regency; (2) the making of peace or war; (3) the army, navy, militia, volunteers, or other military or naval forces for the defence of the realm; (4) treaties and other relations with foreign States, or the relations between the various parts of her Majesty's dominions; (5) dignities or titles of honour; (6) prize or booty of war; (7) offences against the law of nations; or offences committed in violation of any treaty made, or hereafter to be made, between her Majesty and any foreign State; or offences committed on the high seas; (8) treason, alienage, or naturalisation; (9) trade, navigation, or quarantine; (10) the postal and telegraph service, except as hereafter in this Act mentioned with respect to the transmission of letters and telegrams in Ireland; (11) beacons, lighthouses, or sea marks; (12) the coinage; the value of foreign money; legal tender; or weights and measures; or (13) copyright, patent rights, or other exclusive rights to the use or profits of any works or inventions.

Clause 4 provided that the Irish Legislature shall not make any law (1) respecting the establishment or endowment of religion, or prohibiting the free exercise thereof; or (2) imposing any disability, or conferring any privilege, on account of religious belief; or (3) abrogating or derogating from the right to establish or maintain any place of denominational education or any denominational institution or charity; or (4) prejudicially affecting the right of any child to attend a school receiving public money without attending the religious instruction at that school; or (5) impairing, without either the leave of her Majesty in Council first obtained on an address presented by the Legislative Body of Ireland, or the consent of the corporation interested, the rights, property, or privileges of any

The exceptions in Clause 3 are that the Irish Legislature shall not have power to make laws in respect of (1) the Crown, or the succession to the Crown, or a Regency; or the Lord-Lieutenant, as representative of the Crown; or (2) the making of peace or war or matters arising from a state of war; or (3) naval or military forces, or the defence of the realm; or (4) treaties and other relations with foreign States or the relations between different parts of her Majesty's dominions or offences connected with such treaties or relations; or (5) dignities or titles of honour; or (6) treason, treason-felony, alienage, or naturalisation; or (7) trade with any place out of Ireland; or quarantine, or navigation (except as respects inland waters and local health or harbour regulations); or (8) beacon, lighthouses, or sea marks; or (9) coinage, legal tender, or the standard of weights and measures; or (10) trade marks, merchandise marks, copyright, or patent rights.

By Clause 4 it is provided that the powers of the Irish Legislature shall not extend to the making of any law—(1) respecting the establishment or endowment of religion, or prohibiting the free exercise thereof; or (2) imposing any disability, or conferring any privilege, on account of religious belief; or (3) abrogating or prejudicially affecting the right to establish or maintain any place of denominational education or any denominational institution or charity; or (4) prejudicially affecting the right of any child to attend a school receiving public money, without attending the religious instruction at that school; or (5) whereby any person may be deprived of life, liberty, or property without due process of law, or may be denied the equal protection of the laws, or whereby private property may be taken without just compensation; or (6) whereby any existing corporation incorporated by Royal Charter or by any local or general Act of Parliament (not being a corporation raising for public purposes taxes,



## 1886.

existing corporation incorporated by royal charter or local and general Act of Parliament; or (6) imposing or relating to duties of customs and duties of excise, as defined by this Act, or either of such duties or affecting any Act relating to such duties or either of them; or (7) affecting this Act, except in so far as it is declared to be alterable by the Irish Legislature.

## EXECUTIVE AUTHORITY.—THE VETO.

The Queen, it was provided by Clause 5, should have the same prerogatives with respect to the summoning, proroguing, and dissolving the Irish Legislative Body as she has with respect to the Imperial Parliament. The Executive Government was to remain vested in the Queen, and carried on by the Lord Lieutenant, by Section 7, and "*subject to any instructions which may from time to time be given by her Majesty*, the Lord Lieutenant shall give or withhold assent of her Majesty to Bills passed by the Irish Legislative Body."

## CONSTITUTION OF THE LEGISLATURE.

The Irish Legislative Body was to consist of a first and second order. The first was to consist of 103 members, of whom 75 were to be elective and 28 peerage members. Each elective member was to possess property or personalty worth £200 a year; and the whole 75 were to be elected by the constituencies scheduled in the Bill, and they were to continue in office for ten years, half retiring every five years. The peerage members were to be the existing Irish representative peers.

The second order was to consist of 204 members, two chosen by each parliamentary constituency, except Cork city, which would have four. The whole Legislative Body was to sit for not more than five years.

## HOW DISPUTES MAY BE ADJUSTED.

By Clause 9 it was provided that—

The two orders should deliberate together, and shall vote together. If a Bill or any provision of a Bill was lost by disagreement between the two orders of the Legislative Body, and after a period ending with a dissolution of the Legislative Body, or the period of *three years* whichever period was longest, such Bill, or a Bill containing the said provision, was again considered by the Legislative Body, and such Bill or provision is adopted by the second order and negatived by the first order, the same should be submitted to the whole Legislative Body, both orders of which shall vote together on the Bill or provision, and the same shall be adopted or rejected according to the decision of the majority of the members so voting together.

## IRISH REPRESENTATION AT WESTMINSTER.

Clause 24 provided that—

On and after the appointed day Ireland shall cease, except in the event hereafter in this Act mentioned, to return representative peers to the House of Lords or members to the House of Commons, and the persons who on the said day are such representative peers and members shall cease as such to be members of the House of Lords and House of Commons respectively.

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rates, cess, dues, or tolls, or administering funds so raised) may, unless it consents, or the leave of her Majesty is first obtained on address from the two Houses of the Irish Legislature, be deprived of its rights, privileges, or property without due process of law; or (7) whereby any inhabitant of the United Kingdom may be deprived of equal rights as respects public sea fisheries.

The executive power in Ireland is by Clause 5 to continue vested in the Queen, *as represented by the Lord Lieutenant*, who may summon, prorogue, and dissolve the Irish Legislature, and "there shall be an Executive Committee of the Privy Council of Ireland," appointed as her Majesty may think fit, "or as may be directed by the Irish Act." "The Lord Lieutenant shall, on the advice of the said Executive Committee, give or withhold the assent of her Majesty to Bills passed by the two Houses of the Irish Legislature, subject nevertheless to any instructions given by her Majesty in respect of any such Bill."

The Irish Legislative Council is to consist of forty-eight councillors elected by the constituencies named in the first schedule to the Bill—namely, three members each for the counties of Antrim, Cork, Dublin, and Down; two each for the boroughs of Dublin and Belfast and the counties of Galway, Limerick, and Tipperary, and one each for the borough of Cork and the remaining counties, except Sligo and Leitrim, which will return one member jointly. This council will be elected on a £20 franchise; each councillor will be elected for eight years, and will not be affected by a dissolution; one half of the councillors are to retire every fourth year.

The Irish Legislative Assembly is to consist of 103 members returned by the existing parliamentary constituencies; and the Assembly may not alter the qualifications of the electors or the distribution of the members among the constituencies for six years. The Assembly is to sit for five years unless sooner dissolved.

Clause 8 provides that—

If a Bill or any provision of a Bill adopted by the Legislative Assembly is lost by the disagreement of the Legislative Council, and after a dissolution, or the period of *two years* from such disagreement, such Bill, or a Bill for enacting the said provision, is again adopted by the Legislative Assembly, and fails within three months afterwards to be adopted by the Legislative Council, the same shall forthwith be submitted to the members of the two Houses deliberating and voting together thereon, and shall be adopted or rejected according to the decision of the majority of those members present and voting on the question.

The representation at Westminster of the Irish constituencies is thus proposed: There are to be eighty members returned from Ireland by the constituencies named in the second schedule, viz., 5 by County Cork, 3 by the East Riding, and 2 by the West; 4 each by Belfast and Dublin boroughs; 3 each by the counties of Antrim, Donegal, Down, Galway, Kerry, Mayo, Tipperary, and Tyrone; 2 each by the borough of Cork and the counties of Armagh, Cavan, Clare, Dublin, Leitrim, Limerick, Londonderry,



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Meath, Monaghan, Roscommon, Sligo, and Wexford, the other counties existing and parliamentary boroughs returning one each.

An Irish representative peer in the House of Lords and a member of the House of Commons for an Irish constituency may not vote on any Bill relating solely to Great Britain; on any motion or resolution on taxes not raised in Ireland; on any vote or appropriation of money not relating to Imperial purposes as defined in the third schedule of the Bill; any motion affecting some part of Great Britain solely. The electoral laws and qualifications of parliamentary electors are not to be altered by the Irish Legislature.

## FINANCIAL PROVISIONS.—TAXATION.

Clause 12 provided that—

(1) For the purpose of providing for the public service of Ireland the Irish Legislature may impose taxes, other than duties of customs or excise as defined by this Act, which duties shall continue to be imposed and levied by and under the direction of the Imperial Parliament only.

(2) On and after the appointed day there shall be an Irish Consolidated Fund separate from the Consolidated Fund of the United Kingdom.

(3) All taxes imposed by the Legislature of Ireland and all other public revenues under the control of the Government of Ireland shall, subject to any provisions touching the disposal thereof contained in any Act passed in the present session respecting the sale and purchase of land in Ireland, be paid into the Irish Consolidated Fund, and be appropriated to the public service of Ireland according to law.

Clause 10 provides that on and after the appointed day there shall be an Irish Exchequer and Consolidated Fund separate from those of the United Kingdom. The duties of Customs and Excise and the duties on postage shall be imposed by Act of Parliament, but subject to the provisions of this Act the Irish Legislature may, in order to provide for the public service of Ireland, impose any other taxes. But the duties of Customs are to be regulated, collected, managed, and paid into the Exchequer of the United Kingdom.

All prohibitions in connection with the duties of Excise, and as far as regards articles sent out of Ireland, all matters relating to those duties are to be regulated by Act of Parliament; and the Excise duties on articles consumed in Great Britain are to be paid in Great Britain or to an officer of the Government of the United Kingdom.

All the public revenues of Ireland are to be paid into the Irish Exchequer and form a Consolidated Fund, and be appropriated to the public service of Ireland by Irish Act. If the duties of Excise are increased above the rates in force on the first day of March, 1893, the net proceeds in Ireland of the duties in excess of the said rates, are to be paid from the Irish Exchequer to the Exchequer of the United Kingdom.

If the duties of Excise are reduced below the rates in force on the said day, and the net proceeds of such duties in Ireland are in consequence less than the net proceeds of the duties before the reduction, a sum equal to the deficiency would, unless it is otherwise agreed between the Treasury and the Irish Government, be paid from the Exchequer of the United Kingdom to the Irish Exchequer.

## THE CONSOLIDATED FUND.

By Clause 13 it was provided that a sum of £1,466,000 should be contributed by Ireland to the Consolidated Fund of the United Kingdom as her share of the National Debt; the sum of £1,666,000 on account of the army and navy; £110,000 on account of the Imperial civil expenditure, and £1,000,000 on account of the Royal Irish Constabulary and the Dublin Metropolitan Police. This arrangement was to continue for thirty years. The Irish share of the National Debt was reckoned at forty-eight millions. The money collected for customs and excise duties were to be applied in the order following to the payment of the charges for the collection of the customs and excise duties; the annual contributions to the Consolidated Fund of the United Kingdom; the contributions to the National Debt reduction; the moneys payable out of the customs and excise receipts; and the interest or sinking fund on loans for land purchase. The charges on the Irish Consolidated Fund were to consist of any deficiencies and the sums due from the customs and excise account; debts incurred by the Irish Government; Irish civil service expenses; salaries of judges and any other charges. The Irish Land Commission were empowered to draw upon the Irish Church Fund, all charges in which were to be charged on the Irish Consolidated Fund, but

Clause 12 provides that the duties of Customs contributed by Ireland and that portion of any public revenue of the United Kingdom claimed by Ireland shall be carried to the Consolidated Fund as Ireland's contribution to the Imperial Exchequer, and the civil charges of the Government in Ireland shall be borne by Ireland. The financial arrangements between the two countries may be revised after fifteen years. An Irish Treasury Account is to be established by the Treasury for the receipt and payment of sums payable by or to the Irish Exchequer. The first charges on the Irish Consolidated Fund will be sums payable to the Exchequer of the United Kingdom for the Irish Exchequer, sums issued to meet dividends or sinking fund on guaranteed land stock under the Land Purchase Act; and afterwards all sums due in respect of any debt incurred by the Government of Ireland. Afterwards a sum of £5,000 per annum for the expenses of the household and establishment of the Lord-Lieutenant; the charges for other Irish services; and the salaries and pensions of the judges. All existing charges on the Irish Church Fund are to be charged on the Irish Consolidated Fund except those guaranteed by the Imperial Treasury. Local loans are to be provided for by Irish Act, and are to be repaid by annuity extending over forty-nine



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were not guaranteed by the Imperial Treasury. The Irish Government was to take over the functions of the Public Works Loan Commissioners; but the Irish Legislative Body could not adopt or pass any vote, resolution, address, or Bill for the raising or appropriation for any purpose of any part of the public revenue of Ireland, or of any tax, duty, or impost, except in pursuance of a recommendation from her Majesty signified through the Lord-Lieutenant in the session in which such vote, resolution, address, or Bill is proposed. The Court of Exchequer was continued, and the appointment of succeeding Judges of Exchequer was vested in the Queen. The transfer of the Post Office service and Post Office Savings Bank was made by Clause 32, contingent on the passing of an Act by the Irish Legislature, when the Irish Government had provided for acquiring them.

**IRISH APPEALS.**

The Lord-Lieutenant was empowered by Clause 25 to refer any question on any Bill passed by the Legislative Body to the Privy Council; and any party to any action in which such question was raised had the right to appeal to the Privy Council; and an appeal to the House of Lords was not to lie in respect of which an appeal could be had to the Queen in Council. Other appeals to the House of Lords were permitted by Clause 36.

Every subject of the Queen was to be qualified to hold the office of Lord-Lieutenant, whatever his religious belief.

Crown Lands were by Clause 6 placed under the control of the Irish Government.

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years at 4 per cent. interest; and loans will cease to be advanced by the Public Works Loan Commissioners or out of the Local Loans Fund. Bills for appropriating revenue or for imposing taxes are to originate in the Legislative Assembly, and shall not be passed except on the recommendation of the Lord-Lieutenant. Two of the judges of the Supreme Court are to be Exchequer Judges, and they will have extensive powers in regard to revenue actions, election petitions, &c. The postal services are straightway to be transferred to the Irish Government and may be regulated by Irish Act except as regards foreign mails and telegraphs and postal duties. The Post Office Savings Bank also will be transferred to the Irish Government.

By Clause 22 it is provided that appeals from courts in Ireland to the House of Lords shall cease, and the right to appeal is permitted instead to the Judicial Committee of the Privy Council. Clause 23 makes special provision that for the speedy determination of the question whether any Irish Act or any provision thereof is beyond the powers of the Irish Legislature, the same may be heard by the Privy Council, and interested parties will be allowed to appear.

The provision that any person was eligible to hold the office of Lord-Lieutenant, whatever his religious belief, is retained. The Lord-Lieutenant is to be appointed for six years.

Crown lands in Ireland are to be placed under the control of the Irish Government.

**CONTROL OF FUTURE JUDGES.**

The provision as to judges created after the passing of the Bill was the same as in the present Bill.

Clause 26 provides that—

A judge of the Supreme Court, or other superior court in Ireland, or of any county court, or other court with a like jurisdiction in Ireland, appointed after the passing of this Act, shall not be removed from his office except in pursuance of an address from the two Houses of the Legislature of Ireland, nor during his continuance in office shall his salary be diminished, or right to pension altered, without his consent.

**EXISTING JUDGES.**

A similar Clause (No. 28) appeared in this Bill as in the present Bill securing the salaries of existing judges.

Clause 27 provides that—

All existing judges of the Supreme Court, county court judges, and Land Commissioners in Ireland, and all existing officers serving in Ireland in the permanent civil service of the Crown, and receiving salaries charged on the Consolidated Fund of the United Kingdom, shall, if they are at present removable on address from both Houses of Parliament, continue to be removable only upon such address; and their salaries and pensions, if and so far as not paid out of the Irish Consolidated Fund, shall be paid out of the Exchequer of the United Kingdom. If any judge or commissioner retires from office with the Queen's approbation, before completion of the period of service entitling him to a pension, her Majesty may, if she thinks fit, grant to him such pension.

**CIVIL SERVANTS AND PENSIONS.**

Civil servants were secured in their appointments for two years, when they might be retired or retire on allowances secured by the Treasury. The pensions of judges and civil servants were also secured on the Imperial Exchequer.

Civil servants holding appointments after the passing of the Bill are to remain in office, but the Imperial Exchequer will be responsible for any gratuities or pensions due to them for three years. The Irish Government may retire any officer on giving six months' notice, and any officer may retire on giving similar notice, but the number of officers to retire at one time is to be determined by the Treasury in communication with the Irish Government. The pensions of judges or civil servants in Ireland now paid are to be charged on the Irish Consolidated Fund, and if not paid out of that fund will be paid out of the Imperial Exchequer.



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## THE POLICE.

The Dublin Metropolitan Police were to continue and be subject as heretofore to the control of the Lord-Lieutenant as representing her Majesty for a period of *two years*, and until by Act of the Legislature of Ireland, but such Act should provide for the proper saving of all then existing interests, whether as regards pay, pensions, superannuation allowances, or otherwise. The Royal Irish Constabulary, while that force subsists, was to continue, and be subject to the control of the Lord-Lieutenant, as representing her Majesty. The Irish Legislature could provide for the establishment and maintenance of a police force in counties and boroughs in Ireland under the control of local authorities, and arrangements could be made between the Treasury and the Irish Government for the establishment and maintenance of police reserves.

## THE LAND QUESTION AND THE APPOINTMENT OF JUDGES.

The land question in 1886 was dealt with by a separate Bill. By Clause 38, the existing laws, courts, officers, &c., were continued.

The Royal Irish Constabulary and the Dublin Metropolitan Police are to be gradually reduced, and will ultimately cease to exist, and after the passing of the Bill no officer or man is to be appointed to these forces; but the Lord-Lieutenant is empowered to exercise his discretion in retaining either of these forces during a period of six years. So long as they continue to exist, they are to remain under the control of the Lord-Lieutenant, and will be paid out of the Imperial Exchequer; but the Irish Exchequer is to refund two-thirds of their cost. The existing police forces may be continued as local forces, and it is provided in the sixth schedule that such local police forces shall be established under such local authorities and for such counties, municipal boroughs, or other larger areas, as may be provided by Irish Act.

Clause 35 is the first of the transitory provisions, and relates to the land question. The clause reads as follows:—

1. During three years from the passing of this Act, and if Parliament is then sitting, until the end of that session of Parliament, the Irish Legislature shall not pass an Act respecting the relations of landlord and tenant or sale purchase or letting of land generally; provided that nothing in this section shall prevent the passing of any Irish Act with a view to the purchase of land for railways, harbours, waterworks, town improvements, or other local undertakings.

2. During six years from the passing of this Act the appointment of a judge of the Supreme Court or other superior court in Ireland (other than one of the Exchequer judges), shall be made in pursuance of a warrant from her Majesty countersigned as heretofore. Existing laws, courts, and officers are duly secured by Clause 37.

## THE MEETING OF THE IRISH PARLIAMENT.

Upon the first meeting of the Irish Legislature the members of the House of Commons then sitting for Irish constituencies, including the members for Dublin University, shall vacate their seats, and writs shall, as soon as conveniently may be, be issued by the Lord Chancellor of Ireland for the purpose of holding an election of members to serve in Parliament for the constituencies named in the Second Schedule of this Act. The Lord-Lieutenant is empowered to make regulations for the election of members of the Legislature and the conduct of its business.

## THE ALTERATION OF THE ACT.

The provisions for varying the powers of the Irish Legislature are embodied in the different parts of the Bill which they affect—the Constitution, composition of the Assembly, finance, &c.

It was provided by Clause 39 that the Act should not be altered by the Legislature of Ireland, except by Act of the Imperial Parliament and with the consent of the Irish Legislative Body, testified by an address to the Queen or by an Act of the Imperial Parliament, on which the 28 peers of the first order and the 75 commoners might attend at Westminster and vote in their respective Houses.

## THE “APPOINTED DAY.”

The “appointed day” was left to be fixed by the Privy Council.

Clause 38 is as follows:—

Subject as in this Act mentioned the appointed day for the purposes of this Act shall be the day of the first meeting of the Irish Legislature, or such other day not more than seven months earlier or later as may be fixed by order of her Majesty in Council either generally or with reference to any particular provision of this Act, and different days may be appointed for different purposes and different provisions of this Act, whether contained in the same section or in different sections.

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# THE HOME RULE BILL.

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## A BILL

TO

Amend the provision for the Government of Ireland.

**W**HEREAS it is expedient that without impairing or restricting the supreme authority of Parliament, an Irish Legislature should be created for such purposes in Ireland as in this Act mentioned :

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

### PART I.—LEGISLATIVE AUTHORITY.

#### *Establishment of Irish Legislature.*

1. *On and after the appointed day* there shall be in Ireland a Legislature consisting of Her Majesty the Queen and of two Houses, the Legislative Council and the Legislative Assembly.

#### *Powers of Irish Legislature.*

2. With the exceptions and subject to the restrictions in this Act mentioned, there shall be granted to the Irish Legislature power to make laws for the peace, order, and good government of Ireland in respect of matters exclusively relating to Ireland or some part thereof.

#### *Exceptions from powers of Irish Legislature.*

3. The Irish Legislature shall not have power to make laws in respect of the following matters or any of them :—

(1.) The Crown, or the succession to the Crown, or a Regency ; or the Lord Lieutenant as representative of the Crown ; or

(2.) The making of peace or war or matters arising from a state of war ; or

(3.) Naval or military forces, or the defence of the realm ; or

(4.) Treaties and other relations with foreign States or the relations between different



parts of Her Majesty's dominions or offences connected with such treaties or relations ;  
or

(5.) Dignities or titles of honour ; or

(6.) Treason, treason-felony, alienage, or naturalization ; or

(7.) Trade with any place out of Ireland ; or quarantine, or navigation (except as respects inland waters and local health or harbour regulations) ; or

(8.) Beacons, lighthouses, or sea marks (except so far as they can consistently with any general Act of Parliament be constructed or maintained by a local harbour authority);  
or

(9.) Coinage ; legal tender ; or the standard of weights and measures ; or

(10.) Trade marks, merchandise marks, copyright, or patent rights.

Any law made in contravention of this section shall be void.

*Restrictions on powers of Irish Legislature.*

4. The powers of the Irish Legislature shall not extend to the making of any law—

(1.) Respecting the establishment or endowment of religion, or prohibiting the free exercise thereof ; or

(2.) Imposing any disability, or conferring any privilege, on account of religious belief ; or

(3.) Abrogating or prejudicially affecting the right to establish or maintain any place of denominational education or any denominational institution or charity ; or

(4.) Prejudicially affecting the right of any child to attend a school receiving public money, without attending the religious instruction at that school ; or

(5.) Whereby any person may be deprived of life, liberty, or property without due process of law, or may be denied the equal protection of the laws, or whereby private property may be taken without just compensation ; or

(6.) Whereby any existing corporation incorporated by Royal Charter or by any local or general Act of Parliament (not being a corporation raising for public purposes taxes, rates, cess, dues, or tolls, or administering funds so raised) may, unless it consents, or the leave of Her Majesty is first obtained on address from the two Houses of the Irish Legislature, be deprived of its rights, privileges, or property, without due process of law ; or

(7.) Whereby any inhabitant of the United Kingdom may be deprived of equal rights as respects public sea fisheries.

Any law made in contravention of this section shall be void.

EXECUTIVE AUTHORITY.

*Executive Power in Ireland.*

5.—(1.) The executive power in Ireland shall continue vested in Her Majesty the Queen, and the Lord Lieutenant, on behalf of Her Majesty, shall exercise any prerogatives or other



executive power of the Queen the exercise of which may be delegated to him by Her Majesty, and shall, in Her Majesty's name, summon, prorogue, and dissolve the Irish Legislature.

(2.) There shall be an Executive Committee of the Privy Council of Ireland to aid and advise in the government of Ireland, being of such numbers, and comprising persons holding such offices, as Her Majesty may think fit, or as may be directed by Irish Act.

(3.) The Lord Lieutenant shall, on the advice of the said Executive Committee, give or withhold the assent of Her Majesty to Bills passed by the two Houses of the Irish Legislature subject nevertheless to any instructions given by Her Majesty in respect of any such Bill.

#### CONSTITUTION OF LEGISLATURE.

##### *Composition of Irish Legislative Council.*

6.—(1.) The Irish Legislative Council shall consist of *forty-eight* councillors.

(2.) Each of the constituencies mentioned in the First Schedule to this Act shall return the number of councillors named opposite thereto in that schedule.

(3.) Every man shall be entitled to be registered as an elector, and when registered to vote at an election, of a councillor for a constituency who owns or occupies any land or tenement in the constituency of a rateable value of more than *twenty* pounds, subject to the like conditions as a man is entitled at the passing of this Act to be registered and vote as a parliamentary elector in respect of an ownership qualification or of the qualification specified in section five of the Representation of the People Act, 1884, as the case may be: Provided that a man shall not be entitled to be registered, nor if registered to vote, at an election of a councillor in more than one constituency in the same year.

(4.) The term of office of every councillor shall be *eight* years, and shall not be affected by a dissolution; and one *half* of the councillors shall retire in every *fourth* year, and their seats shall be filled by a new election.

##### *Composition of Irish Legislative Assembly.*

7.—(1.) The Irish Legislative Assembly shall consist of *one hundred and three* members, returned by the existing parliamentary constituencies in Ireland, or the existing divisions thereof, and elected by the parliamentary electors for the time being in those constituencies or divisions.

(2.) The Irish Legislative Assembly when summoned may, unless sooner dissolved, have continuance for *five* years from the day on which the summons directs it to meet and no longer.

(3.) After *six* years from the passing of this Act, the Irish Legislature may alter the qualification of the electors, and the constituencies, and the distribution of the members among the constituencies, provided that in such distribution due regard is had to the population of the constituencies.

##### *Disagreement between two Houses, how settled.*

8.—If a Bill or any provision of a Bill adopted by the Legislative Assembly is lost by the disagreement of the Legislative Council, and after a dissolution, or the period of *two years* from such disagreement, such Bill, or a Bill for enacting the said provision, is again adopted by



the Legislative Assembly and fails within three months afterwards to be adopted by the Legislative Council, the same shall forthwith be submitted to the members of the two Houses deliberating and voting together thereon, and shall be adopted or rejected according to the decision of the majority of those members present and voting on the question.

#### IRISH REPRESENTATION IN HOUSE OF COMMONS.

##### *Representation in Parliament of Irish Counties and Boroughs.*

9.—Unless and until Parliament otherwise determines, the following provisions shall have effect—

(1.) After *the appointed day* each of the constituencies named in the Second Schedule to this Act shall return to serve in Parliament the number of members named opposite thereto in that schedule, and no more, and Dublin University shall cease to return any member.

(2.) The existing divisions of the constituencies shall, save as provided in that schedule, be abolished.

(3.) An Irish representative peer in the House of Lords and a member of the House of Commons for an Irish constituency shall not be entitled to deliberate or vote on—

(a) any Bill or motion in relation thereto, the operation of which Bill or motion is confined to Great Britain or some part thereof; or

(b) any motion or resolution relating solely to some tax not raised or to be raised in Ireland; or

(c) any vote or appropriation of money made exclusively for some service not mentioned in the Third Schedule to this Act; or

(d) any motion or resolution exclusively affecting Great Britain or some part thereof or some local authority or some person or thing therein; or

(e) any motion or resolution, incidental to any such motion or resolution as either is last mentioned, or relates solely to some tax not raised or to be raised in Ireland, or incidental to any such vote or appropriation of money as aforesaid.

(4.) Compliance with the provisions of this section shall not be questioned otherwise than in each House in manner provided by the House.

(5.) The election laws and the laws relating to the qualification of parliamentary electors shall not, so far as they relate to parliamentary elections, be altered by the Irish Legislature, but this enactment shall not prevent the Irish Legislature from dealing with any officers concerned with the issue of writs of election, and if any officers are so dealt with, it shall be lawful for Her Majesty by Order in Council to arrange for the issue of such writs, and the writs issued in pursuance of such Order shall be of the same effect as if issued in manner heretofore accustomed.

#### FINANCE.

##### *As to separate Consolidated Fund and Taxes.*

10.—(1.) *On and after the appointed day* there shall be an Irish Exchequer and Consolidated Fund separate from those of the United Kingdom.



(2.) The duties of customs and excise and the duties on postage shall be imposed by Act of Parliament, but subject to the provisions of this Act the Irish Legislature may, in order to provide for the public service of Ireland, impose any other taxes.

(3.) Save as in this Act mentioned, all matters relating to the taxes in Ireland and the collection and management thereof shall be regulated by Irish Act, and the same shall be collected and managed by the Irish Government and form part of the public revenues of Ireland: Provided that—

(a) the duties of customs shall be regulated, collected, managed, and paid into the Exchequer of the United Kingdom as heretofore; and

(b) all prohibitions in connexion with the duties of excise, and, so far as regards articles sent out of Ireland, all matters relating to those duties, shall be regulated by Act of Parliament; and

(c) the excise duties on articles consumed in Great Britain shall be paid in Great Britain or to an officer of the Government of the United Kingdom.

(4.) Save as in this Act mentioned, all the public revenues of Ireland shall be paid into the Irish Exchequer and form a Consolidated Fund, and be appropriated to the public service of Ireland by Irish Act.

(5.) If the duties of excise are increased above the rates in force on *the first day of March one thousand eight hundred and ninety-three*, the net proceeds in Ireland of the duties in excess of the said rates shall be paid from the Irish Exchequer to the Exchequer of the United Kingdom.

(6.) *If the duties of excise are reduced below the rates in force on the said day, and the net proceeds of such duties in Ireland are in consequence less than the net proceeds of the duties before the reduction, a sum equal to the deficiency shall, unless it is otherwise agreed between the Treasury and the Irish Government, be paid from the Exchequer of the United Kingdom to the Irish Exchequer.*

#### *Hereditary revenues and income tax.*

11.—(1.) The hereditary revenues of the Crown in Ireland which are managed by the Commissioners of Woods shall continue during the life of Her present Majesty to be managed and collected by those Commissioners, and the net amount payable by them to the Exchequer on account of those revenues, after deducting all expenses (but including an allowance for interest on such proceeds of the sale of those revenues as have not been re-invested in Ireland), shall be paid into the Treasury Account (Ireland) hereinafter mentioned, for the benefit of the Irish Exchequer.

(2.) A person shall not be required to pay income tax in Great Britain in respect of property situate or business carried on in Ireland, and a person shall not be required to pay income tax in Ireland in respect of property situate or business carried on in Great Britain.

(3.) *For the purpose of giving to Ireland the benefit of the difference between the income tax collected in Great Britain from British, Colonial, and foreign securities held by residents in Ireland, and the income tax collected in Ireland from Irish securities held by residents in Great Britain, there shall be made to Ireland out of the income tax collected in Great Britain, an allowance of such amount as may be from time to time determined by the Treasury, in accordance with a minute of the Treasury laid before Parliament before the appointed day and such allowance shall be paid into the Treasury Account (Ireland) for the benefit of the Irish Exchequer.*



(4.) Provided that the provisions of this section with respect to income tax shall not apply to any excess of the rate of income tax in Great Britain above the rate in Ireland or of the rate of income tax in Ireland above the rate in Great Britain.

*Financial arrangements as between United Kingdom and Ireland.*

12.—(1.) The duties of customs contributed by Ireland and, save as provided by this Act, that portion of any public revenue of the United Kingdom to which Ireland may claim to be entitled, whether specified in the Third Schedule to this Act or not, shall be carried to the Consolidated Fund of the United Kingdom, as the contribution of Ireland to Imperial liabilities and expenditure as defined in that Schedule.

(2.) The civil charges of the Government in Ireland shall, subject as in this Act mentioned, be borne after the appointed day by Ireland.

(3.) After *fifteen* years from the passing of this Act the arrangements made by this Act, for the contribution of Ireland to Imperial liabilities and expenditure, and otherwise for the financial relations between the United Kingdom and Ireland, may be revised in pursuance of an address to Her Majesty from the House of Commons, or from the Irish Legislative Assembly.

*Treasury Account (Ireland).*

13.—(1.) There shall be established under the direction of the Treasury an account (in this Act referred to as the Treasury Account (Ireland)).

(2.) There shall be paid into such account all sums payable from the Irish Exchequer to the Exchequer of the United Kingdom, or from the latter to the former Exchequer and all sums directed to be paid into the account for the benefit of either of the said Exchequers.

(3.) All sums, which are payable from either of the said Exchequers to the other of them or being payable out of one of the said Exchequers are repayable by the other Exchequer shall in the first instance be payable out of the said account so far as the money standing on the account is sufficient; and for the purpose of meeting such sums, the Treasury out of the customs revenue collected in Ireland, and the Irish Government out of any of the public revenues in Ireland, may direct money to be paid to the Treasury Account (Ireland) instead of into the Exchequer.

(4.) Any surplus standing on the account to the credit of either Exchequer, and not required for meeting payments, shall at convenient times be paid into that Exchequer, and where any sum so payable into the Exchequer of the United Kingdom is required by law to be forthwith paid to the National Debt Commissioners, that sum may be paid to those Commissioners without being paid into the Exchequer.

(5.) All sums payable by virtue of this Act out of the Consolidated Fund of the United Kingdom or of Ireland shall be payable from the Exchequer of the United Kingdom or Ireland, as the case may be, within the meaning of this Act, and all sums by this Act made payable from the Exchequer of the United Kingdom shall, if not otherwise paid, be charged on and paid out of the Consolidated Fund of the United Kingdom.



*Charges on Irish Consolidated Fund.*

14.—(1.) There shall be charged on the Irish Consolidated Fund in favour of the Exchequer of the United Kingdom as a first charge on that fund all sums which—

(a) are payable to that Exchequer from the Irish Exchequer ; or

(b) are required to repay to the Exchequer of the United Kingdom sums issued to meet the dividends or sinking fund on guaranteed land stock under the Purchase of Land (Ireland) Act, 1891, or

(c) otherwise have been or are required to be paid out of the Exchequer of the United Kingdom in consequence of the non-payment thereof out of the Exchequer of Ireland or otherwise by the Irish Government.

(2.) If at any time the Controller and Auditor General of the United Kingdom is satisfied that any such charge is due, he shall certify the amount of it, and the Treasury shall send such certificate to the Lord Lieutenant, who shall thereupon by order without any counter-signature, direct the payment of the amount from the Irish Exchequer to the Exchequer of the United Kingdom, and such order shall be duly obeyed by all persons, and until the amount is wholly paid no other payment shall be made out of the Irish Exchequer for any purpose whatever.

(3.) There shall be charged on the Irish Consolidated Fund next after the foregoing charge :

(a) all sums, for dividends or sinking fund on guaranteed land stock under the Purchase of Land (Ireland) Act, 1891, which the Land Purchase Account and the Guarantee Fund under that Act are insufficient to pay ;

(b) all sums due in respect of any debt incurred by the Government of Ireland, whether for interest, management, or sinking fund ;

(c) an annual sum of *five thousand* pounds for [the expenses of the household and establishment of the Lord Lieutenant ;

(d) all existing charges on the Consolidated Fund of the United Kingdom in respect of Irish services other than the salary of the Lord Lieutenant ; and

(e) the salaries and pensions of all judges of the Supreme Court or other superior court in Ireland or of any county or other like court, who are appointed after the passing of this Act, and are not the Exchequer judges hereafter mentioned.

(4.) Until all charges created by this Act upon the Irish Consolidated Fund and for the time being due are paid, no money shall be issued from the Irish Exchequer for any other purpose whatever.

*Irish Church Fund.*

15.—(1.) All existing charges on the Church property in Ireland,—that is to say, all property accruing under the Irish Church Act, 1869, and transferred to the Irish Land Commission by the Irish Church Amendment Act, 1881—shall so far as not paid out of the said property be charged on the Irish Consolidated Fund, and any of those charges guaranteed by the Treasury, if and so far as not paid, shall be paid out of the Exchequer of the United Kingdom.

(2.) Subject to the existing charges thereon, the said Church property shall belong to the Irish Government, and be managed, administered, and disposed of as directed by Irish Act.



*Local Loans.*

16.—(1.) All sums paid or applicable in or towards the discharge of the interest or principal of any local loan advanced before the appointed day on security in Ireland, or otherwise in respect of such loan, which but for this Act would be paid to the National Debt Commissioners, and carried to the Local Loans Fund shall, after the appointed day, be paid, until otherwise provided by Irish Act, to the Irish Exchequer.

(2.) For the payment to the Local Loans Fund of the principal and interest of such loans, the Irish Government shall after the appointed day pay by half-yearly payments an annuity for *forty-nine* years, at the rate of *four* per cent. on the principal of the said loans, exclusive of any sums written off before the appointed day from the account of assets of the Local Loans Fund, and such annuity shall be paid from the Irish Exchequer to the Exchequer of the United Kingdom, and when so paid shall be forthwith paid to the National Debt Commissioners for the credit of the Local Loans Fund.

(3.) After the appointed day, money for loans in Ireland shall cease to be advanced either by the Public Works Loan Commissioners or out of the Local Loans Fund.

*Adaptation of Acts as to Local Taxation Accounts and probate &c. duties.*

17.—(1.) So much of any Act as directs payment to the Local Taxation (Ireland) Account of any share of probate excise or customs duties payable to the Exchequer of the United Kingdom shall, together with any enactment amending the same, be repealed as from the appointed day without prejudice to the adjustment of balances after that day; but the like amounts shall continue to be paid to the Local Taxation Accounts in England and Scotland as would have been paid if this Act had not passed, and any residue of the said share shall be paid into the Exchequer of the United Kingdom.

(2.) The stamp duty chargeable in respect of the personalty of a deceased person shall not in the case of administration granted in Great Britain be chargeable in respect of any personalty situate in Ireland, nor in the case of administration granted in Ireland be chargeable in respect of any personalty situate in Great Britain; and any administration granted in Great Britain shall not, if re-sealed in Ireland, be exempt from stamp duty on administration granted in Ireland, and any administration granted in Ireland shall not, when re-sealed in Great Britain, be exempt from stamp duty on administration granted in Great Britain.

(3.) In this section the expression “administration” means probate or letters of administration, and as respects Scotland, confirmation inclusive of the inventory required under the Acts relating to the said stamp duty, and the expression “personalty” means personal or moveable estate and effects.

*Money bills and votes.*

18.—(1.) Bills for appropriating any part of the public revenue or for imposing any tax shall originate in the Legislative Assembly.

(2.) It shall not be lawful for the Legislative Assembly to adopt or pass any vote, resolution, address, or Bill for the appropriation for any purpose of any part of the public revenue of Ireland, or of any tax, except in pursuance of a recommendation from the Lord Lieutenant in the session in which such vote, resolution, address, or Bill is proposed.



*Exchequer judges for revenue actions, election petitions, &c.*

19.—(1.) Two of the judges of the Supreme Court in Ireland shall be Exchequer judges, and shall be appointed under the great seal of the United Kingdom ; and their salaries and pensions shall be charged on and paid out of the Consolidated Fund of the United Kingdom.

(2.) The Exchequer judges shall be removeable only by Her Majesty on address from the two Houses of Parliament, and each such judge shall, save as otherwise provided by Parliament, receive the same salary and be entitled to the same pension as is at the time of his appointment fixed for the puisne judges of the Supreme Court, and during his continuance in office his salary shall not be diminished, nor his right to pension altered, without his consent.

(3.) An alteration of any rules relating to such legal proceedings as are mentioned in this section shall not be made except with the approval of Her Majesty the Queen in Council ; and the sittings of the Exchequer judges shall be regulated with the like approval.

(4.) All legal proceedings in Ireland, which are instituted at the instance of or against the Treasury or Commissioners of customs, or any of their officers, or relate to the election of members to serve in Parliament, or touch any matter not within the powers of the Irish Legislature, or touch any matter affected by a law which the Irish Legislature have not power to repeal or alter, shall, if so required by any party to such proceedings, be heard and determined before the Exchequer judges or (except where the case requires to be determined by two judges) before one of them, and in any such legal proceeding an appeal shall, if any party so requires, lie from any court of first instance in Ireland to the Exchequer judges, and the decision of the Exchequer judges shall be subject to appeal to Her Majesty the Queen in Council and not to any other tribunal.

(5.) If it is made to appear to an Exchequer judge that any decree or judgment in any such proceeding as aforesaid has not been duly enforced by the sheriff or other officer whose duty it is to enforce the same, such judge shall appoint some officer whose duty it shall be to enforce that judgment or decree ; and for that purpose such officer and all persons employed by him shall be entitled to the same privileges, immunities, and powers as are by law conferred on a sheriff and his officers.

(6.) The Exchequer judges, when not engaged in hearing and determining such legal proceedings as above in this section mentioned, shall perform such of the duties ordinarily performed by other judges of the Supreme Court in Ireland as may be assigned by Her Majesty the Queen in Council.

(7.) All sums recovered by the Treasury or the Commissioners of customs or any of their officers, or recovered under any Act relating to duties of customs, shall, notwithstanding anything in any other Act, be paid to such public account as the Treasury or the Commissioners direct.



## POST OFFICE POSTAL TELEGRAPHS AND SAVINGS BANKS.

*Transfer of post office and postal telegraphs.*

20.—(1.) As from *the appointed day* the postal and telegraph service in Ireland shall be transferred to the Irish Government, and may be regulated by Irish Act, except as in this Act mentioned and except as regards matters relating—

(a) to such conditions of the transmission or delivery of postal packets and telegrams as are incidental to the duties on postage; or

(b) to foreign mails or submarine telegraphs or through lines in connection therewith; or

(c) to any other postal or telegraphic business in connection with places out of the United Kingdom.

(2.) The administration of or incidental to the said excepted matters shall, save as may be otherwise arranged with the Irish Post Office, remain with the Postmaster-General.

(3.) As regards the revenue and expenses of the postal and telegraph service, the Postmaster-General shall retain the revenue collected and defray the expenses incurred in Great Britain, and the Irish Post Office shall retain the revenue collected and defray the expenses incurred in Ireland, subject to the provisions of the Fourth Schedule to this Act; which schedule shall have full effect, but may be varied or added to by agreement between the Postmaster-General and the Irish Post Office.

(4.) *The sums payable by the Postmaster-General or Irish Post Office to the other of them in pursuance of this Act shall, if not paid out of Post Office moneys, be paid from the Exchequer of the United Kingdom or of Ireland, as the case requires, to the other Exchequer.*

(5.) Sections forty-eight to fifty-two of the Telegraph Act, 1863, and any enactment amending the same, shall apply to all telegraphic lines of the Irish Government in like manner as to the telegraphs of a company within the meaning of that Act.

*Transfer of savings banks.*

21.—(1.) As from *the appointed day* there shall be transferred to the Irish Government the post office savings banks in Ireland and all such powers and duties of any department or officer in Great Britain as are connected with post office savings banks, trustee savings banks or friendly societies in Ireland, and the same may be regulated by Irish Act.

(2.) The Treasury shall publish not less than six months previous notice of the transfer of Savings Banks.

(3.) If before the date of the transfer any depositor in a Post Office Savings Bank so requests, his deposit shall, according to his request, either be paid to him or transferred to a Post Office Savings Bank in Great Britain, and after the said date the depositors in a Post Office Savings Bank in Ireland shall cease to have any claim against the Postmaster-General or the Consolidated Fund of the United Kingdom, but shall have the like claim against the Government and Consolidated Fund of Ireland;

(4.) If before the date of the transfer the trustees of any trustee savings bank so request, then according to the request, either all sums due to them shall be repaid and the savings



bank closed, or those sums shall be paid to the Irish Government, and after the said date the trustees shall cease to have any claim against the National Debt Commissioners or the Consolidated Fund of the United Kingdom, but shall have the like claim against the Government and Consolidated Fund of Ireland.

(5.) Notwithstanding the foregoing provisions of this section, if a sum due on account of any annuity or policy of insurance which has before the above-mentioned notice been granted through a Post Office or Trustee Savings Bank, is not paid by the Irish Government, that sum shall be paid out of the Exchequer of the United Kingdom.

#### IRISH APPEALS AND DECISION OF CONSTITUTIONAL QUESTIONS.

##### *Irish appeals.*

22.—(1.) The appeal from courts in Ireland to the House of Lords shall cease ; and where any person would, but for this Act, have a right to appeal from any court in Ireland to the House of Lords, such person shall have the like right to appeal to Her Majesty the Queen in Council ; and the right so to appeal shall not be affected by any Irish Act ; and all enactments relating to appeals to Her Majesty the Queen in Council, and to the Judicial Committee of the Privy Council, shall apply accordingly.

(2.) When the Judicial Committee sit for hearing appeals from a court in Ireland, there shall be present not less than four Lords of Appeal, within the meaning of the Appellate Jurisdiction Act, 1876, and at least one member who is or has been a judge of the Supreme Court in Ireland.

(3.) A rota of privy councillors to sit for hearing appeals from courts in Ireland shall be made annually by Her Majesty in Council, and the privy councillors, or some of them, on that rota shall sit to hear the said appeals. A casual vacancy in such rota during the year may be filled by Order in Council.

(4.) Nothing in this Act shall affect the jurisdiction of the House of Lords to determine the claims to Irish peerages.

##### *Special provision for decision of constitutional questions.*

23.—(1.) If it appears to the Lord Lieutenant or a Secretary of State expedient in the public interest that steps shall be taken for the speedy determination of the question whether any Irish Act or any provision thereof is beyond the powers of the Irish Legislature, he may represent the same to Her Majesty in Council, and thereupon the said question shall be forthwith referred to and heard and determined by the Judicial Committee of the Privy Council, constituted as if hearing an appeal from a court in Ireland.

(2.) Upon the hearing of the question such persons as seem to the Judicial Committee to be interested may be allowed to appear and be heard as parties to the case, and the decision of the Judicial Committee shall be given in like manner as if it were the decision of an appeal, the nature of the report or recommendation to Her Majesty being stated in open court.

(3.) Nothing in this Act shall prejudice any other power of Her Majesty in Council to refer any question to the Judicial Committee or the right of any person to petition Her Majesty for such reference.



## LORD LIEUTENANT AND CROWN LANDS.

*Office of Lord Lieutenant.*

24.—(1.) Notwithstanding anything to the contrary in any Act, every subject of the Queen shall be qualified to hold the office of Lord Lieutenant of Ireland, without reference to his religious belief.

(2.) The term of office of the Lord Lieutenant shall be *six years*, without prejudice to the power of Her Majesty the Queen at any time to revoke the appointment.

*Use of Crown lands by Irish Government.*

25. Her Majesty the Queen in Council may place under the control of the Irish Government, for the purposes of that government, such of the lands and buildings in Ireland vested in or held in trust for Her Majesty, and subject to such conditions or restrictions (if any) as may seem expedient.

## JUDGES AND CIVIL SERVANTS.

*Tenure of future judges.*

26. A judge of the Supreme Court or other superior court in Ireland, or of any county court or other court with a like jurisdiction in Ireland, appointed after the passing of this Act, shall not be removed from his office except in pursuance of an address from the two Houses of the Legislature of Ireland, nor during his continuance in office shall his salary be diminished or right to pension altered without his consent.

*As to existing judges and other persons having salaries charged on the Consolidated Fund.*

27.—(1.) All existing judges of the Supreme Court, county court judges, and Land Commissioners in Ireland and all existing officers serving in Ireland in the permanent civil service of the Crown and receiving salaries charged on the Consolidated Fund of the United Kingdom, shall, if they are removeable at present on address from both Houses of Parliament continue to be removeable only upon such address, and if removeable in any other manner shall continue to be removeable only in the same manner as heretofore; and shall continue to receive the same salaries, gratuities, and pensions, and to be liable to perform the same duties as heretofore, or such duties as Her Majesty may declare to be analogous, and their salaries and pensions, if and so far as not paid out of the Irish Consolidated Fund, shall be paid out of the Exchequer of the United Kingdom: Provided that this section shall be subject to the provisions of this Act with respect to the Exchequer judges.

(2.) *If any of the said judges, commissioners, or officers retires from office with the Queen's approbation before completion of the period of service entitling him to a pension, Her Majesty may, if she thinks fit, grant to him such pension, not exceeding the pension to which he would on that completion have been entitled, as to Her Majesty seems meet.*

*As to persons holding civil service appointments.*

28.—(1.) All existing officers in the permanent civil service of the Crown, who are not above provided for, and are at the appointed day serving in Ireland, shall after that day continue to hold their offices by the same tenure and to receive the same salaries, gratuities, and pensions, and to be liable to perform the same duties as heretofore or such duties as the



Treasury may declare to be analogous ; and the said gratuities and pensions, and until three years after the passing of this Act, the salaries due to any of the said officers if remaining in his existing office, shall be paid to the payees by the Treasury out of the Exchequer of the United Kingdom.

(2.) Any such officer may after *three years* from the passing of this Act retire from office, and shall, at any time during those three years, if required by the Irish Government, retire from office, and on any such retirement may be awarded by the Treasury a gratuity or pension in accordance with the Fifth Schedule to this Act : Provided that—

(a) six months' written notice shall, unless it is otherwise agreed, be given either by the said officer or by the Irish Government as the case requires ; and

(b) such number of officers only shall retire at one time and at such intervals of time as the Treasury, in communication with the Irish Government, sanction.

(3.) If any such officer does not so retire, the Treasury may award him after the said three years a pension in accordance with the Fifth Schedule to this Act which shall become payable to him on his ultimate retirement from the service of the Crown.

(4.) *The gratuities and pensions awarded in accordance with the Fifth Schedule to this Act shall be paid by the Treasury to the payees out of the Exchequer of the United Kingdom.*

(5.) All sums paid out of the Exchequer of the United Kingdom in pursuance of this section shall be repaid to that Exchequer from the Irish Exchequer.

(6.) This section shall not apply to officers retained in the service of the Government of the United Kingdom.

*As to existing pensions and superannuation allowances.*

29. Any existing pension granted on account of service in Ireland as a judge of the Supreme Court or of any court consolidated into that court, or as a county court judge, or in any other judicial position, or as an officer in the permanent civil service of the Crown other than in an office the holder of which is after the appointed day retained in the service of the Government of the United Kingdom, shall be charged on the Irish Consolidated Fund, and if and so far as not paid out of that fund, shall be paid out of the Exchequer of the United Kingdom.

#### POLICE.

*As to Police.*

30.—(1.) The forces of the Royal Irish Constabulary and Dublin Metropolitan Police shall, when and as local police forces are from time to time established in Ireland in accordance with the Sixth Schedule to this Act, be gradually reduced and ultimately cease to exist as mentioned in that Schedule ; and after the passing of this Act, no officer or man shall be appointed to either of those forces ;



Provided that until the expiration of *six* years from the appointed day, nothing in this Act shall require the Lord Lieutenant to cause either of the said forces to cease to exist, if as representing Her Majesty the Queen he considers it inexpedient.

(2.) The said two forces shall, while they continue, be subject to the control of the Lord Lieutenant as representing Her Majesty, and the members thereof shall continue to receive the same salaries, gratuities, and pensions, and hold their appointments on the same tenure as heretofore, *and those salaries, gratuities, and pensions, and all the expenditure incidental to either force, shall be paid out of the Exchequer of the United Kingdom.*

(3.) When any existing member of either force retires under the provisions of the Sixth Schedule to this Act, the Treasury may award to him a gratuity or pension in accordance with that Schedule.

(4.) *Those gratuities and pensions, and all existing pensions payable in respect of service in either force, shall be paid by the Treasury to the payees out of the Exchequer of the United Kingdom.*

(5.) *Two-thirds of the net amount payable in pursuance of this section out of the Exchequer of the United Kingdom shall be repaid to that Exchequer from the Irish Exchequer.*

#### MISCELLANEOUS.

##### *Irish Exchequer Consolidated Fund and Audit.*

31. Save as may be otherwise provided by Irish Act,—

(a.) The existing law relating to the Exchequer and Consolidated Fund of the United Kingdom shall apply with the necessary modifications to the Exchequer and Consolidated Fund of Ireland, and an officer shall be appointed by the Lord Lieutenant to be the Irish Comptroller and Auditor General; and

(b.) The accounts of the Irish Consolidated Fund shall be audited as appropriation accounts in manner provided by the Exchequer and Audit Departments Act, 1866, by or under the direction of such officer.

##### *Law applicable to both Houses of Irish Legislature.*

32.—(1.) Subject as in this Act mentioned and particularly to the Seventh Schedule to this Act (which Schedule shall have full effect) all existing election laws relating to the House of Commons and the members thereof shall, so far as applicable, extend to each of the two Houses of the Irish Legislature and the members thereof, but such election laws so far as hereby extended may be altered by Irish Act.

(2.) The privileges, rights, and immunities to be held and enjoyed by each House and the members thereof shall be such as may be defined by Irish Act, but so that the same shall never exceed those for the time being held and enjoyed by the House of Commons, and the members thereof.



*Supplemental provisions as to powers of Irish Legislature.*

**33.**—(1.) The Irish Legislature may repeal or alter any provision of this Act which is by this Act expressly made alterable by that Legislature, and also any enactments in force in Ireland, except such as either relate to matters beyond the powers of the Irish Legislature, or being enacted by Parliament after the passing of this Act may be expressly extended to Ireland. An Irish Act, notwithstanding it is in any respect repugnant to any enactment excepted as aforesaid, shall, though read subject to that enactment, be, except to the extent of that repugnancy, valid.

(2.) An order, rule, or regulation, made in pursuance of, or having the force of, an Act of Parliament, shall be deemed to be an enactment within the meaning of this section.

(3.) Nothing in this Act shall affect Bills relating to the divorce or marriage of individuals, and any such Bill shall be introduced and proceed in Parliament in like manner as if this Act had not passed.

*Limitation on borrowing by local authorities.*

**34.** The local authority for any county or borough or other area shall not borrow money without either—

- (a) special authority from the Irish Legislature, or
- (b) the sanction of the proper department of the Irish Government ;

and shall not, without such special authority, borrow ;

(i) in the case of a municipal borough or town or area less than a county, any loan which together with the then outstanding debt of the local authority, will exceed twice the annual rateable value of the property in the municipal borough, town, or area ; or

(ii) in the case of a county or larger area, any loan which together with the then outstanding debt of the local authority, will exceed one-tenth of the annual rateable value of the property in the county or area ; or

(iii) in any case a loan exceeding one-half of the above limits without a local inquiry held in the county, borough, or area by a person appointed for the purpose by the said department.

## TRANSITORY PROVISIONS.

*Temporary restriction on powers of Irish Legislature and Executive.*

**35.**—(1.) During *three* years from the passing of this Act, and if Parliament is then sitting until the end of that session of Parliament, the Irish Legislature shall not pass an Act respecting the relations of landlord and tenant, or the sale, purchase, or letting of land generally : Provided that nothing in this section shall prevent the passing of any Irish Act with a view to the purchase of land for railways, harbours, waterworks, town improvements, or other local undertakings.

(2.) During *six* years from the passing of this Act, the appointment of a judge of the Supreme Court or other superior court in Ireland (other than one of the Exchequer judges) shall be made in pursuance of a warrant from Her Majesty countersigned as heretofore.



*Transitory provisions.*

36.—(1.) Subject to the provisions of this Act Her Majesty the Queen in Council may make or direct such arrangements as seem necessary or proper for setting in motion the Irish Legislature and Government and for otherwise bringing this Act into operation.

(2.) The Irish Legislature shall be summoned to meet on the *first Tuesday in September, one thousand eight hundred and ninety-four*, and the first election of members of the two Houses of the Irish Legislature shall be held at such time before that day, as may be fixed by Her Majesty in Council.

(3.) Upon the first meeting of the Irish Legislature the members of the House of Commons then sitting for Irish constituencies, including the members for Dublin University, shall vacate their seats, and writs shall, as soon as conveniently may be, be issued by the Lord Chancellor of Ireland for the purpose of holding an election of members to serve in Parliament for the constituencies named in the Second Schedule of this Act.

(4.) The existing Chief Baron of the Exchequer, and the senior of the existing puisne judges of the Exchequer Division of the Supreme Court, or if they or either of them are or is dead or unable or unwilling to act, such other of the judges of the Supreme Court as Her Majesty may appoint, shall be the first Exchequer judges.

(5.) Where it appears to Her Majesty the Queen in Council, before the expiration of *one year* after the appointed day, that any existing enactment respecting matters within the powers of the Irish Legislature requires adaptation to Ireland, whether—

(a) by the substitution of the Lord Lieutenant in Council, or of any department or officer of the executive Government in Ireland, for Her Majesty in Council, a Secretary of State, the Treasury, the Postmaster-General, the Board of Inland Revenue, or other public department or officer in Great Britain; or

(b) by the substitution of the Irish Consolidated Fund or moneys provided by the Irish Legislature for the Consolidated Fund of the United Kingdom, or moneys provided by Parliament; or

(c) by the substitution of confirmation by, or other act to be done by or to, the Irish Legislature for confirmation by or other act to be done by or to Parliament; or

(d) by any other adaptation;

Her Majesty, by Order in Council, may make that adaptation.

(6) Her Majesty the Queen in Council may provide for the transfer of such property, rights, and liabilities, and the doing of such other things as may appear to Her Majesty necessary or proper for carrying into effect this Act or any Order in Council under this Act.

(7.) An Order in Council under this section may make an adaptation or provide for a transfer either unconditionally or subject to such exceptions, conditions, and restrictions as may seem expedient.

(8.) The draft of every Order in Council under this section shall be laid before both Houses of Parliament for not less than two months before it is made, and such Order when made shall, subject as respects Ireland to the provisions of an Irish Act, have full effect, but shall not interfere with the continued application to any place, authority, person, or thing, not in Ireland, of the enactment to which the Order relates.



*Continuance of existing laws, courts, officers, &c.*

**37.**—Except as otherwise provided by this Act, all existing laws, institutions, authorities, and officers in Ireland, whether judicial, administrative, or ministerial, and all existing taxes in Ireland shall continue as if this Act had not passed, but with the modifications necessary for adapting the same to this Act, and subject to be repealed, abolished, altered, and adapted in the manner and to the extent authorised by this Act.

*Appointed day.*

**38.** Subject as in this Act mentioned the appointed day for the purposes of this Act shall be the day of the first meeting of the Irish Legislature, or such other day not more than *seven* months earlier or later as may be fixed by order of Her Majesty in Council either generally or with reference to any particular provision of this Act, and different days may be appointed for different purposes and different provisions of this Act, whether contained in the same section or in different sections.

*Definitions.*

**39.** In this Act unless the context otherwise requires—

The expression “existing” means existing at the passing of this Act.

The expression “constituency” means a parliamentary constituency or a county or borough returning a member or members to serve in either House of the Irish Legislature, as the case requires, and the expression “parliamentary constituency” means any county, borough, or university returning a member or members to serve in Parliament.

The expression “parliamentary elector” means a person entitled to be registered as a voter at a parliamentary election.

The expression “parliamentary election” means the election of a member to serve in Parliament.

The expression “tax” includes duties and fees, and the expression “duties of excise” does not include license duties.

The expression “foreign mails” means all postal packets, whether letters, parcels, or other packets, posted in the United Kingdom and sent to a place out of the United Kingdom, or posted in a place out of the United Kingdom and sent to a place in the United Kingdom, or in transit through the United Kingdom to a place out of the United Kingdom.

The expression “telegraphic line” has the same meaning as in the Telegraph Acts, 1863 to 1892.

The expression “duties on postage” includes all rates and sums chargeable for or in respect of postal packets, money orders, or telegrams, or otherwise under the Post Office Acts or the Telegraph Act, 1892.

The expression “Irish Act” means a law made by the Irish Legislature.

The expression “election laws” means the laws relating to the election of members to



serve in Parliament, other than those relating to the qualification of electors, and includes all the laws respecting the registration of electors, the issue and execution of writs, the creation of polling districts, the taking of the poll, the questioning of elections, corrupt and illegal practices, the disqualification of members and the vacating of seats.

The expression “rateable value” means the annual rateable value under the Irish Valuation Acts.

The expression “salary” includes remuneration, allowances, and emoluments.

The expression “pension” includes superannuation allowance.

*Short title.*

40. This Act may be cited as the Irish Government Act, 1893.



## SCHEDULES.

## FIRST SCHEDULE.

## LEGISLATIVE COUNCIL.

*Constituencies and Number of Councillors.*

Constituencies.	Councillors.
Antrim county . . .	Three.
Armagh county . . .	One.
Belfast borough . . .	Two.
Carlow county . . .	One.
Cavan county . . .	One.
Clare county . . .	One.
Cork county—	
East Riding . . .	Three
West Riding . . .	One.
Cork borough . . .	One.
Donegal county . . .	One.
Down county . . .	Three.
Dublin county . . .	Three.
Dublin borough . . .	Two.
Fermanagh county . . .	One.
Galway county . . .	Two.
Kerry county . . .	One.
Kildare county . . .	One.
Kilkenny county . . .	One.
King's county . . .	One.
Leitrim and Sligo counties	One.
Limerick county . . .	Two.
Londonderry county . . .	One.
Longford county . . .	One.
Louth county . . .	One.
Mayo county . . .	One.
Meath county . . .	One.
Monaghan county . . .	One.
Queen's county . . .	One.
Roscommon county . . .	One.
Tipperary county . . .	Two.
Tyrone county . . .	One.
Waterford county . . .	One.
Westmeath county . . .	One.
Wexford county . . .	One.
Wicklow county . . .	One.
	Forty-eight.

The expression “borough” in this Schedule means an existing parliamentary borough.

Counties of cities and towns not named in this Schedule shall be combined with the county at large in which they are included for parliamentary elections, and if not so included, then with the county at large bearing the same name.

A borough named in this Schedule shall not for the purposes of this Schedule form part of any other constituency

## SECOND SCHEDULE.

## IRISH MEMBERS IN THE HOUSE OF COMMONS.

Constituency.	Number of Members for House of Commons.
Antrim county . . . . .	Three.
Armagh county . . . . .	Two.
Belfast borough (in divisions as mentioned below) . . . . .	} Four.
Carlow county . . . . .	One.
Cavan county . . . . .	Two.
Clare county . . . . .	Two.
Cork county (in divisions as mentioned below) . . . . .	} Five.
Cork borough . . . . .	Two.
Donegal county . . . . .	Three.
Down county . . . . .	Three.
Dublin county . . . . .	Two.
Dublin borough (in divisions as mentioned below) . . . . .	} Four.
Fermanagh county . . . . .	One.
Galway county . . . . .	Three.
Galway borough . . . . .	One.
Kerry county . . . . .	Three.
Kildare county . . . . .	One.
Kilkenny county . . . . .	One.
Kilkenny borough . . . . .	One.
King's county . . . . .	One.
Leitrim county . . . . .	Two.
Limerick county . . . . .	Two.
Limerick borough . . . . .	One.
Londonderry county . . . . .	Two.
Londonderry borough . . . . .	One.
Longford county . . . . .	One.
Louth county . . . . .	One.
Mayo county . . . . .	Three.
Meath county . . . . .	Two.
Monaghan county . . . . .	Two.
Newry borough . . . . .	One.
Queen's county . . . . .	One.
Roscommon county . . . . .	Two.
Sligo county . . . . .	Two.
Tipperary county . . . . .	Three.
Tyrone county . . . . .	Three.
Waterford county . . . . .	One.
Waterford borough . . . . .	One.
Westmeath county . . . . .	One.
Wexford county . . . . .	Two.
Wicklow county . . . . .	One.
	Eighty.

(1.) In this schedule the expression "borough" means an existing parliamentary borough.

(2.) In the parliamentary boroughs of Belfast and Dublin, one member shall be returned by each of the existing parliamentary divisions of those boroughs, and the law relating to the divisions of boroughs shall apply accordingly.

(3.) The county of Cork shall be divided into two divisions, consisting of the East Riding and the West Riding, and three members shall be elected by the East Riding, and two members shall be elected by the West Riding; and the law relating to divisions of counties shall apply to those divisions.



## THIRD SCHEDULE.

## FINANCE.

## IMPERIAL LIABILITIES, EXPENDITURE, AND MISCELLANEOUS REVENUE.

*Liabilities.*

For the purposes of this Act, "Imperial liabilities" consist of—

(1.) The funded and unfunded debt of the United Kingdom, inclusive of terminable annuities paid out of the permanent annual charge for the National Debt, and inclusive of the cost of the management of the said funded and unfunded debt, but exclusive of the Local Loans stock and Guaranteed Land stock and the cost of the management thereof; and

(2.) All other charges on the Consolidated Fund of the United Kingdom for the repayment of borrowed money, or to fulfil a guarantee.

*Expenditure.*

For the purpose of this Act Imperial expenditure consists of expenditure for the following services :—

I. Naval and Military expenditure (including Greenwich Hospital).

II. Civil expenditure, that is to say,—

(a.) Civil list and Royal family.

(b.) Salaries, pensions, allowances, and incidental expenses of—

(i.) Lord Lieutenant of Ireland;

(ii.) Exchequer judges in Ireland.

(c.) Buildings, works, salaries, pensions, printing, stationery, allowances, and incidental expenses of—

(i.) Parliament;

(ii.) National Debt Commissioners;

(iii.) Foreign Office and diplomatic and consular service, including secret service, special services, and telegraph subsidies;

(iv.) Colonial Office, including special services and telegraph subsidies;

(v.) Privy Council;

(vi.) Board of Trade including the Mercantile Marine Fund, Patent Office, Railway Commission, and Wreck Commission but excluding Bankruptcy;

(vii.) Mint;

(viii.) Meteorological Society;

(ix.) Slave trade service.

(d.) Foreign mails and telegraphic communication with places outside the United Kingdom.

*Revenue.*

For the purposes of this Act the public revenue to a portion of which Ireland may claim to be entitled consists of revenue from the following sources :—

1. Suez Canal shares or payments on account thereof.

2. Loans and advances to foreign countries.

3. Annual payments by British possessions.

4. Fees, stamps, and extra receipts received by departments, the expenses of which are part of the Imperial expenditure.

5. Small branches of the hereditary revenues of the Crown.

6. Foreshores.

## FOURTH SCHEDULE.

## PROVISIONS AS TO POST OFFICE.

(1.) The Postmaster-General shall pay to the Irish Post Office in respect of any foreign mails sent through Ireland, and the Irish Post Office shall pay to the Postmaster-General in respect of any foreign mails sent through Great Britain, such sum as may be agreed upon for the carriage of those mails in Ireland or Great Britain as the case may be.

(2.) The Irish Post Office shall pay to the Postmaster-General ;

(i.) One half of the expense of the packet service and submarine telegraph lines between Great Britain and Ireland after deducting from that expense the sum fixed by the Postmaster-General as incurred on account of foreign mails or telegraphic communication with a place out of the United Kingdom as the case may be ; and

(ii.) Five per cent. of the expenses of the conveyance outside the United Kingdom of foreign mails, and of the transmission of telegrams to places outside the United Kingdom ; and

(iii.) Such proportion of the receipts for telegrams to places out of the United Kingdom as is due in respect of the transmission outside the United Kingdom of such telegrams.

(3.) The Postmaster-General and the Irish Post Office respectively shall pay to the other of them on account of foreign money orders, of compensation in respect of postal packets, and of any matters not specifically provided for in this Schedule, such sums as may be agreed upon.

(4.) Of the existing debt incurred in respect of telegraphs, a sum of five hundred and fifty thousand pounds two and three quarters per cent. Consolidated Stock shall be treated as debt of the Irish Post Office, and for paying the dividends on and redeeming such stock there shall be paid half yearly by the Irish Exchequer to the Exchequer of the United Kingdom an annuity of *eighteen* thousand pounds for *sixty* years, and such annuity when paid into the Exchequer shall be forthwith paid to the National Debt Commissioners and applied for the reduction of the National Debt.

(5.) The Postmaster-General and the Irish Post Office may agree on the facilities to be afforded by the Irish Post Office in Ireland in relation to any matters the administration of which by virtue of this Act remains with the Postmaster-General, and with respect to the use of the Irish telegraphic lines for through lines in connection with submarine telegraphs, or with telegraphic communication with any place out of the United Kingdom.

## FIFTH SCHEDULE.

## REGULATIONS AS TO GRATUITIES AND PENSIONS FOR CIVIL SERVANTS.



## SIXTH SCHEDULE.

## PART I.

REGULATIONS AS TO ESTABLISHMENT OF POLICE FORCES AND AS TO THE ROYAL IRISH CONSTABULARY  
AND DUBLIN METROPOLITAN POLICE CEASING TO EXIST.

(1.) Such local police forces shall be established under such local authorities and for such counties, municipal boroughs, or other larger areas, as may be provided by Irish Act.

(2.) Whenever the Executive Committee of the Privy Council in Ireland certify to the Lord Lieutenant that a police force adequate for local purposes has been established in any area, then subject to the provisions of this Act, he shall within six months thereafter direct the Royal Irish Constabulary to be withdrawn from the performance of regular police duties in such area, and such order shall be forthwith carried into effect.

(3.) Upon any such withdrawal the Lord Lieutenant shall order measures to be taken for a proportionate reduction of the numbers of the Royal Irish Constabulary, and such order shall be duly executed.

(4.) Upon the Executive Committee of the Privy Council in Ireland certifying to the Lord Lieutenant that adequate local police forces have been established in every part of Ireland, then, subject to the provisions of this Act, the Lord Lieutenant shall within six months after such certificate, order measures to be taken for causing the whole of the Royal Irish Constabulary to cease to exist as a police force, and such order shall be duly executed.

(5.) Where the area in which a local police force is established is part of the Dublin Metropolitan Police District, the foregoing regulations shall apply to the Dublin Metropolitan Police in like manner as if that force were the Royal Irish Constabulary.

## PART II.

REGULATIONS AS TO GRATUITIES AND PENSIONS FOR THE ROYAL IRISH CONSTABULARY AND DUBLIN  
METROPOLITAN POLICE.

## SEVENTH SCHEDULE.

## REGULATIONS AS TO HOUSES OF THE LEGISLATURE AND THE MEMBERS THEREOF.

*Legislative Council.*

(1.) There shall be a separate register of electors of councillors of the Legislative Council which shall be made, until otherwise provided by Irish Act, in like manner as the parliamentary register of electors.

(2.) Where, for the election of councillors, any counties are combined so as to form one constituency, then until otherwise provided by Irish Act—

(a) the returning officer for the whole constituency shall be that one of the returning officers for Parliamentary elections for those counties to whom the writ is addressed, and the writ shall be addressed to the returning officer for the constituency with the largest population, according to the census of 1891.

(b) the returning officer shall have the same authority throughout the whole constituency as a returning officer at a Parliamentary election for a county has in the county.

(c) the registers of electors of each county shall jointly be the register of electors for the constituency.

(d) for the purposes of this Schedule “county” includes a county of a city or town, and this Schedule, and the law relating to the qualification of electors, shall apply as if the county of a city or town formed part of the county at large with which it is combined, and the qualification in the county of a city or town shall be the same as in such county at large.

(3.) Writs shall be issued for the election of councillors at such time not less than one nor more than three months before the day for the periodical retirement of councillors as the Lord Lieutenant in Council may fix.

(4.) The day for the periodical retirement of councillors shall until otherwise provided by Irish Act be the last day of August in every fourth year.

(5.) For the purposes of such retirement, the constituencies shall be divided into two equal divisions, and the constituencies in each province shall be divided as nearly as may be equally between those divisions, and constituencies returning two or more members shall be treated as two or more constituencies, and placed in both divisions.

(6.) Subject as aforesaid, the particular constituencies which are to be in each division shall be determined by lot.

(7.) The said division and lot shall be made and conducted before the appointed day in manner directed by the Lord Lieutenant in Council.

(8.) The first councillors elected for the constituencies in the first division shall retire on the first day of retirement which occurs after the first meeting of the Irish Legislature, and the first councillors for the constituencies in the second division shall retire on the second day of retirement after that meeting.

(9.) Any casual vacancy among the councillors shall be filled by a new election, but the councillor filling the vacancy shall retire at the time at which the vacating councillor would have retired.

*Legislative Assembly.*

(10.) The Parliamentary register of electors for the time being shall, until otherwise provided by Irish Act, be the register of electors of the Legislative Assembly.



*Both Houses.*

(11.) Until otherwise provided by Irish Act, the Lord Lieutenant in Council may make regulations for adapting the existing election laws to the election of members of the two Houses of the Legislature.

(12.) Annual sessions of the Legislature shall be held.

(13.) Any peer, whether of the United Kingdom, Great Britain, England, Scotland, or Ireland shall be qualified to be a member of either House.

(14.) A member of either House may by writing under his hand resign his seat, and the same shall thereupon be vacant.

(15.) The same person shall not be a member of both Houses.

(16.) Until otherwise provided by Irish Act, if the same person is elected to a seat in each House, he shall, before the eighth day after the next sitting of either House, by written notice, elect in which House he will serve, and upon such election his seat in the other House shall be vacant, and if he does not so elect, his seat in both Houses shall be vacant.

(17.) Until otherwise provided by Irish Act, any such notice electing in which House a person will sit, or any notice of resignation, shall be given in manner directed by the Standing Orders of the Houses, and if there is no such direction, shall be given to the Lord Lieutenant.

(18.) The powers of either House shall not be affected by any vacancy therein, or any defect in the election or qualification of any member thereof.

(19.) Until otherwise provided by Irish Act, the holders of such Irish offices as may be named by Order of the Queen in Council before the appointed day shall be entitled to be elected to and sit in either House notwithstanding that they hold offices under the Crown, but on acceptance of any such office the seat of any such person in either House shall be vacated unless he has accepted the office in succession to some other of the said offices.

*Transitory.*

(20.) The Lord Lieutenant in Council may, before the appointed day make regulations for the following purposes :—

(a.) The making of a register of electors of councillors in time for the election of the first councillors, and with that object for the variation of the days relating to registration in the existing election laws, and for prescribing the duties of officers, and for making such adaptations of those laws as appear necessary or proper for duly making a register ;

(b.) The summoning of the two Houses of the Legislature of Ireland, the issue of writs and any other things appearing to be necessary or proper for the election of members of the two Houses ;

(c.) The election of a chairman (whether called Speaker, President, or by any other name), of each House, the quorum of each House, the communications between the two Houses, and such adaptation to the proceedings of the two Houses of the procedure of Parliament, as appears expedient for facilitating the conduct of business by those Houses on their first meeting ;

(d.) The adaptation to the two Houses and the members thereof of any laws and customs relating to the House of Commons or the members thereof ;

(e.) The deliberation and voting together of the two Houses in cases provided by this Act.

(21.) The regulations may be altered by Irish Act, and also in so far as they concern the procedure of either House alone, by Standing Orders of that House, but shall, until altered, have effect as if enacted in this Act.







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